

Response Deadline: October 15, 2012

Reply Deadline: November 14, 2012

Hearing Date: To be determined

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

LEHMAN BROTHERS HOLDINGS, INC., ET AL.,

Debtors.

Chapter 11 Case No.

08-13555 (JMP)

Jointly Administered

In re:

LEHMAN BROTHERS, INC.,

Debtor.

Case No.

08-01420 (JMP)

FIRSTBANK PUERTO RICO,

Plaintiff,

-against-

BARCLAYS CAPITAL INC.,

Defendant.

Adversary Proc. No.

10-04103 (JMP)

**NOTICE OF MOTION OF DEFENDANT BARCLAYS CAPITAL INC.
FOR CIVIL CONTEMPT SANCTIONS AGAINST FIRSTBANK PUERTO RICO
FOR WILLFUL VIOLATION OF THE SALE ORDER**

PLEASE TAKE NOTICE that, upon (i) the accompanying Memorandum of Law in Support of the Motion of Defendant Barclays Capital Inc. (“Barclays”) for Civil Contempt Sanctions Against FirstBank Puerto Rico (“FirstBank”) for Willful Violation of the Sale Order (as defined below); (ii) the Declaration of Boaz S. Morag dated September 13, 2012 (the “Declaration”) filed contemporaneously herewith, together with the exhibits incorporated by reference into and annexed to the Declaration, and (iii) all prior proceedings in Chapter 11 Case No. 08-13555 (JMP) (Jointly Administered), Case No. 08-01420 (JMP) and Adversary Proc. No. 10-04103 (JMP), Barclays moves this Court pursuant to Federal Rule of Bankruptcy Procedure 9020 for an order pursuant to 11 U.S.C. § 105(a) and this Court’s inherent powers finding FirstBank in civil contempt, and awarding sanctions against FirstBank (the “Contempt Motion”), for its willful violation of the injunction contained in this Court’s Order Under 11 U.S.C. §§ 105(a), 363, and 365 and Federal Rules of Bankruptcy Procedure 2002, 6004 and 6006 Authorizing and Approving (A) The Sale of Purchased Assets Free and Clear of Liens and Other Interests and (B) Assumption and Assignment of Executory Contracts and Unexpired Leases, dated September 19, 2008 [D.I. 258 in Case No. 08-13555 (JMP)] (the “Sale Order”), and for such other and/or further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that a hearing on the Contempt Motion will be held at a date and time to be determined, before the Honorable James M. Peck, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York,

Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004, Room
601.

Dated: New York, New York
September 13, 2012

CLEARY GOTTlieb STEEN & HAMILTON LLP

By: 

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